

REMARKS

Claims 1-8 and 10-17 are now present in this application.

The specification and claims 1, 3, 5, 8, 10, 12 and 14-17 have been amended, and claims 9 and 18 have been cancelled without prejudice or disclaimer. Reconsideration of the application, as amended, is respectfully requested.

Attached herewith is a Revocation of Power of Attorney, Substitute Power of Attorney, and Change in Correspondence Address. It is respectfully requested that this paper be entered into the file and that the U.S. Patent and Trademark Office update their records to reflect the new attorney and correspondence address of record.

From the January 22, 2004 Office Action, claim 10 has been objected to for a certain informality. Because this informality has been addressed, it is respectfully requested that this objection now be reconsidered and withdrawn.

Claims 14-18 are alleged to be a duplicate of claims 5-9. Because the dependencies of claims 14-17 have been amended and claim 18 has been cancelled without prejudice or disclaimer, it is respectfully submitted that this objection should now be overcome and withdrawn.

A typographical error has now been corrected on page 7 of the specification. Accordingly, it is respectfully requested that any objection to the specification now be reconsidered and withdrawn.

Claims 3, 5, 12 and 14 stand rejected under 35 USC 112, second paragraph. This rejection is respectfully traversed.

Because the dependencies of claims 3, 5, 12 and 14 have been amended as suggested by the Examiner, it is respectfully submitted that this rejection should now be overcome. Accordingly, it is respectfully requested that the 35 USC 112, second paragraph rejection now be reconsidered and withdrawn.

Claim 8 stands rejected under 35 USC 112, second paragraph. This rejection is respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that claim 8 particularly points out and distinctly claims the subject matter of the instant invention. Withdrawal of this rejection is respectfully requested.

Claims 1, 3, 5-7 and 9 stand rejected under 35 USC 103 as being unpatentable over GITTNER et al., U.S. Patent 5,326,258, in view of HAGAN, U.S. Patent 3,479,690. This rejection is respectfully traversed.

Claims 1, 2 and 4 stand rejected under 35 USC 103 as being unpatentable over KRUGER, U.S. Patent 2,440,959, in view of GITTNER and HAGAN. This rejection is respectfully traversed.

Claim 2 stands rejected under 35 USC 103 as being unpatentable over GITTNER in view of HAGAN, and further in view of KRUGER. This rejection is respectfully traversed.

Claim 8 stands rejected under 35 USC 103 as being unpatentable over GITTNER in view of HAGAN, and further in view of WIATT, U.S. Patent 4,382,760. This rejection is respectfully traversed.

Claims 10, 12, 14-16 and 18 stand rejected under 35 USC 103 as being unpatentable over GITTNER in view of HAGAN, and further in view of KIERAS et al. This rejection is respectfully traversed.

Claim 11 stands rejected under 35 USC 103 as being unpatentable over GITTNER in view of HAGAN and KIERAS, and further in view of KRUEGER. This rejection is respectfully traversed.

Claims 10, 11 and 13 stand rejected under 35 USC 103 as being unpatentable over KRUEGER in view of GITTNER, HAGAN, and KIERAS. This rejection is respectfully traversed.

Claim 17 stands rejected under 35 USC 103 as being unpatentable over GITTNER in view of HAGAN, and further in view of WIATT. This rejection is respectfully traversed.

The limitation of claim 9 has been incorporated into claim 1, and the limitation of claim 18 has been incorporated into claim 10. As such, the 35 USC 103 rejection utilizing KRUEGER in view of GITTNER and HAGAN should now be overcome.

Turning to the rejection of claim 9, which utilizes the patents to GITTNER and HAGAN, and the rejection of claim 18, which utilized the patents of GITTNER, HAGAN, and KIERAS et al., it is respectfully submitted that these prior art combinations fail to

disclose a crystallization machine for a mouth of a bottle blank as set forth in independent claim 1 and 10 of the present application.

This crystallization machine includes a heater zone, which provides a set of upper heat sources for heating a threaded area of the mouth on the respective bottle blank, and a set of lower heating sources for heating the loaders. Such an arrangement is not shown in the prior art utilized by the Examiner.

Accordingly, it is respectfully requested that all 35 USC 103 rejections now be reconsidered and withdrawn.

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

Because the additional prior art cited by the Examiner has been included merely to show the state of the prior art and has not been utilized to reject the claims, no further comments concerning these documents are considered necessary at this time.

In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$110.00 is attached herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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